

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

7:03 AM -2 03/03/04

7:03 AM -2 03/03/04

BANK OF THE WEST,
Plaintiff
v.
KATHERINE BEESLEY,
In Personam
AND
M/V DEFIANCE, her engines and
equipment
In Rem
Defendants

CIVIL ACTION NO.
04 CV 10407 RGS

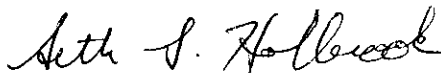
VERIFICATION

I, Seth S. Holbrook, being duly sworn depose and say:

I am an attorney at law and a member of the law firm of Holbrook & Murphy, 150 Federal Street, Boston, Massachusetts, counsel to plaintiff herein;

The foregoing complaint is true to the knowledge of the deponent except as to matters herein stated to be alleged upon knowledge and belief and as to those matters I believe them to be true;

The source of deponent's knowledge and the grounds of his belief as to all matters not stated as of his own knowledge are conversations with Judy Drury, an employee of the plaintiff herein and review of documents provided and made a part of Plaintiff's Complaint.


Seth S. Holbrook

COMMONWEALTH OF MASSACHUSETTS

Then personally appeared the above-named Seth S. Holbrook, before me and stated that he has read the foregoing Complaint and Verification and the contents thereof are true to the best of his knowledge, information and belief.

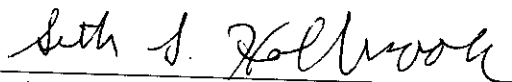

Notary Public

My Commission Expires:

9/21/04

BANK OF THE WEST

By its attorneys,



Seth S. Holbrook, BBO # 237850

HOLBROOK & MURPHY

150 Federal Street, 12th Floor

Boston, MA 02110

(617) 428-1151